

State of New Jersey  
Department of Labor and Workforce Development  
Board of Review

## MEMORANDUM

**To:** Joseph Sieber, Chairman;  
Gerald Yarbrough, Vice Chairman;

**FROM:** Nancy Hunt, Executive Secretary  
Board of Review

**Subject:** Minutes of the June 29, 2016  
Board of Review Meeting

**Date:** July 5, 2016

THESE MINUTES HAVE NOT BEEN FORMALLY APPROVED AND ARE SUBJECT TO CHANGE OR MODIFICATION BY THE BOARD OF REVIEW AT ITS NEXT MEETING. NO DECISION OF THE BOARD OF REVIEW IS FINAL UNTIL IT HAS BEEN MAILED TO THE INTERESTED PARTIES.

1. **FORMAL OPENING:** A regular meeting of the Board of Review, Department of Labor was held on Wednesday, June 29, 2016, at 9:00 a.m. at the Board of Review offices, Labor Building, John Fitch Plaza, 7<sup>th</sup> Floor, Large Conference Room, Trenton, New Jersey. Notice of said meeting was posted in the Board of Review's office, filed with the Secretary of State, and published annually in The Trenton Times and The Star Ledger. **The next regular meeting of the Board of Review is scheduled for Wednesday, July 6, 2016, at 9:00 a.m.** at the Board of Review offices, Labor Building, John Fitch Plaza, 7<sup>th</sup> Floor, Large Conference Room, Trenton, New Jersey.

Roll Call: Present: Mr. Sieber, Chairman  
Ms. Futterman, Board Member  
Ms. Hunt, Executive Secretary  
Absent: Mr. Yarbrough, Vice-Chairman

2. Following a motion by Mr. Sieber and seconded by Ms. Futterman, the minutes of the June 22, 2016 meeting were approved.

3. Old Business

(a) Dkt. No.: 00073224

After review of the Board decision to remand, the Board after reconsideration decided the matter as a disqualification for voluntary leaving under N.J.S.A. 43:21-5(a), however, after two determinations of entitlement, no refund liability will apply, and the employer's account will not be charged.

#### 4. New Business

**(a)** Dkt. No.: 00075058

This matter presented to the Board by Appellate Specialist Matos to determine if claimant quit his job or was discharged. The Appeal Tribunal held the claimant was not discharged for misconduct connected with the work under N.J.S.A. 43:21-5(b), and no disqualification under N.J.S.A. 43:21-5(a). After consideration, the Board decided that additional testimony was necessary to decide the matter, and voted to remand. Ms. Matos will prepare the remand.

**(b)** Dkt. No.: 00082249 and Dkt. No.: 00082250

Appellate Specialist Jackson presented to the Board the above dockets wherein the Appeal Tribunal managed to rule twice on case issue of reasonable assurance and the claimant appealed late from both decisions. The Board voted to remove the matter to itself to address obvious errors in the decision.

**(c)** Dkt. No.: 00084930

This issue presented by Appellate Specialist Alverio is whether working conditions gave the claimant good cause to leave the job. The Appeal Tribunal held the claimant disqualified for benefits under N.J.S.A. 43:21-5(a). After review the Board voted to affirm the Appeal Tribunal decision. Ms. Alverio will prepare the decision.

**(d)** Dkt. No.: 00038308

This issue presented to the Board by Appellate Specialist Abrunzo to decide if changes in work made the offer of work unsuitable. The Appeal Tribunal held the claimant left work with good cause attributable to the work under N.J.S.A. 43:21-5(a). After review the Board voted to affirm the Appeal Tribunal decision. Ms. Abrunzo will prepare the decision.

There being no further business to transact, a motion was made by Mr. Sieber to adjourn the meeting. Ms. Futtermanseconded the motion.

SUBMITTED FOR APPROVAL:

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Nancy Hunt  
Executive Secretary

NH:ldv

